

AMENDED IN SENATE AUGUST 18, 2010

AMENDED IN SENATE AUGUST 11, 2010

AMENDED IN ASSEMBLY APRIL 5, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## ASSEMBLY BILL

**No. 1798**

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**Introduced by Assembly Members Evans, Chesbro, and Huffman**

(Principal coauthors: Senators Leno and Wiggins)

**(Coauthors: Assembly Members Anderson, Bill Berryhill,  
Tom Berryhill, Coto, Huber, Ruskin, Saldaña, and Smyth)**

(Coauthors: Senators Harman, Padilla, and Wright)

February 10, 2010

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An act to ~~amend Section 23086 of, and to add Section 25246 to, the~~  
Business and Professions Code, relating to alcoholic beverages.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1798, as amended, Evans. Alcoholic beverages: wine labels: Sonoma County.

~~(1) Existing law requires the Alcoholic Beverage Control Appeals Board to issue an order within 60 days after an appeal is filed.~~

~~This bill would require the board to issue an order within 75 days after an appeal is filed.~~

~~(2) The~~

*The* Alcoholic Beverage Control Act provides for specified labeling requirements for containers of alcoholic beverages sold within this state.

This bill would require any wine bottled on or after January 1, 2014, labeled with an American Viticultural Area established pursuant to federal law that is located entirely within a county of the 19th class, to bear the designation “Sonoma County” on the label in specified type

size as determined by the size of the wine container, as prescribed. The bill would authorize the Department of Alcoholic Beverage Control to suspend or revoke the license of any person who violates those provisions.

The Alcoholic Beverage Control Act provides that a violation of its provisions is a misdemeanor, unless otherwise specified.

This bill, by creating a new crime, imposes a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. Section 23086 of the Business and Professions~~  
2     ~~Code is amended to read:~~  
3     ~~23086. In all cases, the board shall enter its order within 75~~  
4     ~~days after the filing of an appeal.~~  
5     ~~SEC. 2.~~  
6     ~~SECTION 1.~~ Section 25246 is added to the Business and  
7     Professions Code, to read:  
8     25246. (a) Any wine labeled with an American Viticultural  
9     Area established pursuant to Part 9 (commencing with Section  
10    9.1) of Title 27 of the Code of Federal Regulations, that is located  
11    entirely within a county of the 19th class, shall bear the designation  
12    “Sonoma County” on the label in a type size not smaller than two  
13    millimeters on containers of more than 187 milliliters or smaller  
14    than one millimeter on containers of 187 milliliters or less.  
15    (b) The department may suspend or revoke the license of any  
16    person who violates this section.  
17    (c) This section shall not apply to any wine labeled with a  
18    viticultural area appellation of origin established pursuant to Part  
19    9 (commencing with Section 9.1) of Title 27 of the Code of Federal  
20    Regulations when the name of the appellation includes the term  
21    “Sonoma County.”

(d) This section shall apply to wines bottled on or after January 1, 2014.

~~SEC. 3.~~

*SEC. 2.* No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.